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*Counsel for Defendant, F.A. Tech Corporation*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:	)	
	)	Chapter 11
DELPHI CORPORATION, et al.,	)	
	)	Case No. 05-44481 [RDD]
	)	(Jointly Administered)
Debtors.	)	
	)	
DELPHI CORPORATION, et al.,	)	
	)	Adv. Proc. No. 07-02350 [RDD]
	)	
Plaintiffs,	)	
	)	
-v-	)	
F.A. TECH CORPORATION,	)	
	)	
Defendant.	)	
	)	

**NOTICE OF FILING DECLARATION OF KELLY MICHIMI IN SUPPORT OF  
F.A. TECH CORPORATION'S OBJECTION TO REORGANIZED DEBTORS'  
MOTION FOR LEAVE TO FILE AMENDED COMPLAINTS**

F. A. Tech Corporation (“F. A. Tech”), by its undersigned attorneys, and in support of its opposition to the Reorganized Debtors’ Motion for Leave to File Amended Complaint (the “Motion to Amend”) against various Preference Defendants (collectively, the “Defendants”) including F. A. Tech, respectively states:

1. Following dismissal of their initial complaint in this matter against F. A. Tech, the Reorganized Debtors filed their Motion to Amend on or about September 7, 2010 (the “Motion to Amend”) [Doc. No. 20575; Adv. Doc. No. 29].

2. F. A. Tech responded by filing its Objection to Reorganized Debtors' Motion for Leave to File Amended Complaints on November 24, 2010 [Doc. No. 20898, Adv. Doc. No. 33].

3. The Reorganized Debtors filed their Omnibus Reply in further support of the Motion for Leave to File Amended Complaints on January 28, 2011 [Doc. No. 20196, Adv. Doc. No.35].

4. F. A. Tech filed a Sur-Reply and Joinder of F. A. Tech Corporation in Support of Objections to the Reorganized Debtors Motion for Leave to File Amended Complaints on June 17, 2011 [Adv. Doc. No. 39].

5. On June 21, 2011, the Court held a hearing on the Motion to Amend and consider various arguments that F. A. Tech and other Defendants raised in opposition. In particular, the court authorized any Defendants that did not receive timely notice of the Supplemental Motion Pursuant to Fed. R. Bankr. P. 7004(a) and 9006(d)(i) and Fed. R. Civ. P. 4(m) to extend deadline to serve process for avoidance actions filed in connection with preservation of a state claims procedures order [Doc. No. 18952] (the "Fourth Extension Motion") to file a declaration to that effect within three weeks of the hearing date.

6. F. A. Tech did not receive notice of the Fourth Extension Motion nor any of the Reorganized Debtors, related motions that were filed prior to the Fourth Extension Motion.

7. Accordingly, F. A. Tech submits the Declaration of Kelly Michimi in support of F. A. Tech Corporation's Objection to Reorganized Debtors Motion for Leave to File Amended Complaint, attached hereto as Exhibit A and requests that the Reorganized Debtors Motion to Amend be denied as to F. A. Tech on a final basis.

Dated: July 11, 2011

Respectfully submitted,

/s/ Jason V. Stitt  
Jason V. Stitt (0078513)  
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**CERTIFICATE OF SERVICE**

I certify that on July 11, 2011, I caused the **NOTICE OF FILING DECLARATION OF KELLY MICHIMI IN SUPPORT OF F.A. TECH CORPORATION'S OBJECTION TO REORGANIZED DEBTORS' MOTION FOR LEAVE TO FILE AMENDED COMPLAINTS** to be electronically filed with the Clerk of the Court using the ECF system, which sent notification of such filing to all ECF participants requesting electronic service.

The following parties were also served via overnight UPS on June 10, 2011:

Hon. Robert D. Drain  
U.S. Bankruptcy Court  
Southern District of New York  
White Plains Office  
300 Quarropas Street  
White Plains, NY 10601

Cynthia J. Haffey  
Butzel Long PC  
150 W. Jefferson Ave., Suite 100  
Detroit, MI 48226

Neil Berger  
Togut, Segal & Segal LLP  
One Penn Plaza Suite 3335  
New York, NY 10119

Office of United States Trustee  
Attn: Alicia M. Leonhard, Trace Hope  
Davis and Brian Masumoto  
33 Whitehall St. 21st Floor  
New York, NY 10004

/s/ Jason V. Stitt  
Jason V. Stitt (0078513)